

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JAVIER MARTINEZ,

Petitioner,

v.

ANGELICA ALFONSO-ROYALS,
Acting Director of the United States
Citizenship and Immigration Services,
et al.,¹

Respondents.

C24-1960 TSZ

ORDER

Having reviewed the Report and Recommendation, docket no. 15, of the
Honorable Brian A. Tsuchida, United States Magistrate Judge, to which no objection was
filed, the Court finds and ORDERS:

(1) The Report and Recommendation, docket no. 15, is ADOPTED in part and
MODIFIED in part.

¹ Pursuant to Federal Rule of Civil Procedure 25(d), Angelica Alfonso-Royals is hereby substituted for
former Director of the United States Citizenship and Immigration Services Ur M. Jaddou as the first-
named respondent in this matter.

(2) Petitioner's habeas petition, docket no. 1, is GRANTED in part and STRICKEN in part as moot. The petition is GRANTED as to Petitioner's due process claim and request for a bond hearing, see Pet.'s Resp. at 12 (docket no. 14), and is STRICKEN as MOOT in all other respects, see Order at 1 (docket no. 11) (parties agreed that Petitioner's Form I-918 has been adjudicated and only Petitioner's habeas claim remains).

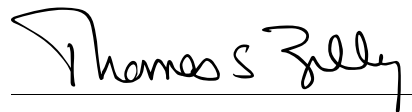
(3) Respondents' Motion to Dismiss, docket no. 12, is DENIED.

(4) The Government is ORDERED to provide Petitioner with a second bond hearing within sixty (60) days of the date of this Order. The Government bears the burden to show by clear and convincing evidence that Petitioner continues to pose a risk of flight or a danger to the community.

(5) The Clerk is directed to enter Judgment consistent with this Order, to send a copy of this Order and the Judgment to all counsel of record and Judge Tsuchida, and to CLOSE this case.

IT IS SO ORDERED.

Dated this 7th day of July, 2025.



Thomas S. Zilly
United States District Judge